

Plaintiff essentially complains of verbal abuse by his arresting officers at the time of his

arrest. Such claim does not state a Constitutional claim for relief. Indeed a claim of verbal harassment and abuse upon being stopped for a motor vehicle violation fails to state a constitutional claim. Cole v. Cole, 633 F.2d 1083; see also Morrison v. Martin, 755 F. Supp. 683, 687 (E.D.N.C.), aff'd, 917 F.2d 1302 (4th Cir. 1990). This is especially true when there is not injury or harm flowing from such treatment. Id. Plaintiff does claim he was humiliated and fearful and that he was mentally worn down, however, he does not allege any physical injury or excessive force by the Defendants. Plaintiff's Complaint is therefore dismissed for failure to state a claim for which relief can be granted.

NOW, THEREFORE, IT IS HEREBY ORDERED that Plaintiff's Complaint is Dismissed for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

SO ORDERED.

Signed: August 4, 2009

A handwritten signature in black ink, appearing to read "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

